

REMARKS

By the foregoing Amendment, Claims 5, 7, 8 and 9 have been amended.

Favorable reconsideration of the application is respectfully requested.

Claims 1-9 were rejected under 35 U.S.C. §112, second paragraph, on the grounds of indefiniteness. Claims 1-4 are cancelled. Claim 7 has been amended to correct a typographical error. Claim 5 has been amended to recite a slit instead of a slot, as described in the specification at page 3, line 28; Claim 8 has been amended to more clearly recite the vertex as described in the specification at page 4 lines 26-28; and Claim 9 has been amended to depend from Claim 8, providing antecedent basis for the term “oblique cut” described in the specification at page 4, line 26; and reference numbers have been included in the claims as requested by the Examiner. It is therefore believed that the rejection of Claims 1-9 on the grounds of indefiniteness can be withdrawn.

Claims 5-7 were rejected under 35 U.S.C. §102(b) on the grounds of anticipation, or alternatively under 35 U.S.C. §103(a) on the grounds of obviousness from Dimitry et al. The basis for the rejection on the grounds of obviousness was not clearly explained, since the Examiner has suggested no modification of the disclosure of Dimitry et al. that would have been obvious to one of ordinary skill in the art. However, the Examiner indicated that Dimitry et al. disclosed a notch which appears in Figs. 3 and 4 to extend longitudinally along the exterior of the reinforcement member 12 adjacent to the extensions 47 on either side of the split 45. Claim 5 has been amended to recite “at least one notch (3, 3’), at the opposing open ends.” The exterior longitudinal notch of Dimitry

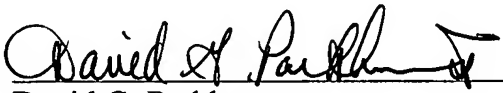
et al. is presumably formed as part of the formation of the extensions 47, which are described in Dimitry et al. at column 4, lines 41-42 as promoting engagement of the structure 12 with the innerspring. The reinforcement member 12 would be pressed upon by the coils 22, along the exterior side of the reinforcement member. However, as is described in the specification at page 4, lines 23-32, the notches allow improved flexing of the tubular body and the corners of a mattress so that their stiffness is similar to that of the rest of the mattress. It is therefore respectfully submitted that Claims 5-9 are inventive and novel over Dimitry et al., and that the rejection of Claims 5-7 on the grounds of anticipation or obviousness from Dimitry et al. should be withdrawn.

Applicant wishes to thank the Examiner for the indication that Claims 10 and 11 are allowed.

In light of the foregoing amendments and remarks, it is respectfully submitted that the application should now be in condition for allowance, and an early favorable action in this regard is respectfully requested.

Respectfully submitted,

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